IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 16544 of 2004

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Between:

Pilla Babu Rao, S/o. Amrutha Rao,
Pithapuram (Agraharam), East Godavari District.

..... PETITIONER

AND

-

1 The Additional Agent to Government and The Project

Officer, I.T.D.A., Rampachodavaram, East Godavari

District.
2 The Special Deputy Collector, Tribal Welfare,
Rampachodavaram, East Godavari District.
3 The Special Deputy Tahasildar, Tribal Welfare,

Gangavaram, East Godavari District.
4 The Mandal Revenue Officer, Gangavaram, East

Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the order of the 2nd respondent in LTRP No. 92 of 2003 dated 27-1-2004 as highly illegal, arbitrary, unjust, improper and consequently set aside the same.

Counsel for the Petitioner: MR.BADANA.BHASKARA RAO

Counsel for Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for

Revenue for the respondents. Both have no objection for disposal of the writ petition at the admission stage.

It is stated that against the order passed by the LTRP No.92 of 2003 dated 27-1-2004 when the petitioner presented appeal on 13-8-2004 the same was not received by the office of the first respondent. Hence the petitioner sent the said appeal by Registered Post Acknowledgement Due, which was also refused to receive. Learned counsel for the petitioner produced the postal cover along with acknowledgement wherein it is clearly endorsed that the office of the first respondent refused to receive the cover.

It is well settled that whenever an appeal is filed by the aggrieved person, the first respondent being the statutory appellate authority is under obligation to receive the same and pass appropriate orders in accordance with law. In view of the same, as and when appeal is presented by the petitioner, first respondent is directed to receive the same and dispose of the same within a period of two weeks from the date of filing of such appeal, in accordance with law. Pending disposal of the appeal, status quo obtaining as on today with regard to the possession shall be maintained for a period of six weeks or till the final orders are passed on the appeal whichever is earlier.

With the above direction, the Writ Petition is disposed of at the admission stage.

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A. Gopal Reddy, J.

15th September, 2004.

Js.

ASSISTANT REGISTRAR

To

1 The Additional Agent to Government and The Project

Officer, I.T.D.A., Rampachodavaram, East Godavari

District.

2 The Special Deputy Collector, Tribal Welfare, Rampachodavaram, East Godavari District.

3 The Special Deputy Tahasildar, Tribal Welfare,

Gangavaram, East Godavari District.

4 The Mandal Revenue Officer, Gangavaram, East

Godavari District.

5 2 CCs to G.P. for Revenue, High Court Buildings, Hyderabad.

6 2 CD copies.